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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/623,987	Applicant(s) KOBAYASHI, HIDENORI	
	Examiner Chad Dickerson	Art Unit 2625	

-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/21/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>see attachment</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - Paragraph [0023], line 19 of page 6: the phrase "image forming apparatuses" should be changed to -- information processing apparatuses --.Appropriate correction is required.

Claim Objections

2. Claims 3, 5, 6, 12 and 22 are objected to because of the following informalities:
 - Re claim 3, line 9: the word "form" should be changed to -- from --.
 - Re claim 5, line 2: the phrase "on the instructions" should be changed to -- on instructions --.
 - Re claim 6, lines 15: the phrase "the specified image forming apparatus" should be changed to -- a specified image forming apparatus --.
 - Page 21, line 1: the phrase "the operator" should be changed to -- an operator --.
 - Re claim 12, line 14: the phrase "the respective different image forming apparatus" should be changed to -- a respective different image forming apparatus --.
 - Re claim 22, line 3 of page 25: the phrase "the respective different image forming apparatus" should be changed to -- a respective different image forming apparatus --.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 17-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re Claim 17: The claim language merely stating in the preamble "a computer program product" does not cause the claim to associate with a physical structure, such as a computer memory, that is used to realize a computer program's functionality and therefore, the preamble is deemed to be non-statutory subject matter. The Examiner suggests that the phrase be omitted from the claim and for the following phrase, "A computer usable medium having computer readable program code embodied therein for causing a processor to" be used as the preamble of the claim. Claims 18-26 are rejected because of the dependence on claim 17.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 6: the states "sends print information from the information processing apparatus to the image processing apparatus when it determines recording is

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available." In the specification, the image processing part (230) is disclosed as a component of the image forming apparatus. Are you trying to send information to the image forming apparatus or specifically the image processing part of the image forming apparatus? This claim will be interpreted in the broadest reasonable manner.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Geelen et al (US Pub No 2002/0054322).

Re claim 1: Geelen et al discloses a stepped user alerts in a networked printer system, the image forming apparatus comprising:

a paper feeder that is formed to enable feeding recording paper of several kinds that are different in size (i.e. the three trays (12), considered as the paper feeders, all feed recording sheets into the printer system. Since the different trays in the system can contain different types of paper sizes, the three trays using the paper handling system (20) can feed several kinds of papers of different sizes; see figs. 1 and 2; paragraphs [0026]-[0028])

a first detector that detects whether there is recording paper to be fed to the aforementioned paper feeder (i.e. the system has sensors or detectors that detect the

number of recording sheets present in trays that will be fed for printing or the presence or absence of recording sheets in the printer; see paragraph [0013] and [0015])

a second detector that recognizes the size of the recording paper that is fed from the aforementioned paper feeder (i.e. with detectors arranged in the trays (12), the paper sizes may be automatically detected that will be fed into the printer system; see fig. 1; paragraph [0029])

a transmitter that transmits information on the sizes of recording paper that can be fed for image forming to the information processing apparatus responding to requests from the information processing apparatus (i.e. the DAC (24) transmits a dialog window to the workstation computers to offer the user an option to select another type of recording paper for the printer job. The workstation, considered as the information processing apparatus, sends a request to print to a printer in the system. The printer responds to this request by informing the workstation computer of the lack of printer resources to complete the print job in the desired manner. At the point when the user chooses to use a different paper type, this is when the information on the sizes of recording paper is transmitted to the workstation; see fig. 4; paragraphs [0049]-[0054]).

Re claim 2: Geelen et al discloses a stepped user alerts in a networked printer system, the information processing apparatus comprising

an apparatus selecting means that selects an image forming apparatus (i.e. when the user chooses to print a data file, the user selects one of the printers for executing the print job; see fig. 1; paragraph [0031])

a status request means that requests the status of each image forming apparatus (i.e. in the background of the invention, when the print monitor function is activated on a computer connected to a printer, it constantly monitors the status of the printer. The workstation using the print monitor function is able to constantly monitor the printer, by demanding an update from the printer in regards to the status of the printer or print jobs. If this function is not activated, the workstation may not be able to receive any status updates about the printer being used by the workstation computer; see paragraph [0003] and [0004])

a receiving means that receives the status from each image forming apparatus (i.e. in the background of the invention, it discusses the print monitor function. When there are issues with the printer that is being monitored, a status of the printer is received by the workstation. The workstation's printing software can be considered as the receiving means, since the software receives the information on the printer and displays it on the users workstation computer; see paragraph [0003] and [0004])

a display means that displays the status information of each image forming apparatus that is received by the receiving means (i.e. in the background of the invention, a display at the workstation is used to display the message regarding the current status of the computer. The example mentions that the message alerting the user to refill a paper tray is displayed; see paragraph [0003] and [0004])

a print instruction means that can issue print instruction based on the status information of the image forming apparatus displayed on the said display means (i.e. when the user changes the printing paper in which to print an original print job to

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another paper size that is available in the printer, then the printer accepts this information and instructs the current print job to be output using the new paper size chosen on the display of the workstation computer. This performs the function of issuing a print instruction based on the status information of the paper types inside of the image forming apparatus; see fig. 4 and 5; paragraphs [0049]-[0054]).

Re claim 3: The teachings of Geelen et al are disclosed above.

Geelen et al discloses the information processing apparatus, wherein

the apparatus selecting means allows selection of multiple image forming apparatuses (i.e. when the user chooses to print a data file, the user selects one of the printers for executing the print job; see fig. 1; paragraph [0031]).

the status request means can request the statuses of the multiple image forming apparatuses that are selected by the apparatus selecting means (i.e. with the print monitoring function listed in the background, the function requests statuses of the apparatuses that are selected and that may have some print jobs sent from the same apparatus. If the invention in the background was implemented in the overall invention with multiple printers, the above feature would be performed more than one printer would be monitored that handled the user's print jobs; see figs. 1 and 3-5; paragraphs [0002]-[0005] and [0034]-[0051])

the receiving means can receive status information from multiple image forming apparatuses (i.e. if the workstation chooses to print more than one print job on more than one printer, the workstation will receive a notice from the respective printing device

of the status of the printer. The status of the printer may be that the print job cannot be processed because the printer lacks a paper type. This can occur to more than one printer in the system that receives different jobs with different conditions from one workstation; see fig. 1, 3-5; paragraphs [0031]-[0054])

the display means can display status information from multiple image forming apparatuses (i.e. when a workstation is printing multiple print jobs to multiple printers, the workstation can receive a message relating to the status of the print job relating to the paper type or size being deficient in the printers. If more than one printer in the system cannot process a print job because of the lack of printing paper specified, the workstation should receive a message notifying the user of that fact; see fig. 1, 3-5; paragraphs [0031]-[0054]).

Re claim 4: Geelen et al discloses a stepped user alerts in a networked printer system, the software comprising

a selection function that can select at least one of the image forming apparatuses responding to instructions of an application (i.e. when the user chooses to print a data file, the user selects one of the printers for executing the print job; see fig. 1; paragraph [0031])

a configuration function that can configure image-forming conditions of the image forming apparatuses (i.e. when the user or operator wants to change the contents of the memory (22) regarding the printing paper, the user can press the "different paper inserted" button on the local terminal (10) to configure the image forming condition of

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the apparatus to a new paper or sheet size or type; see fig. 6; paragraphs [0051]-[0055])

a request function that requests status information of the image forming apparatuses (i.e. when the print monitor function is activated, described in the background of the invention, the software used constantly queries the printer as far as information to the status of the apparatus. The query of the printer or monitoring is analogous to requesting information about the printer; see paragraphs [0002]-[0005])

a receiving function that receives status information from image forming apparatuses (i.e. the workstation where the print monitor function is installed is able to receive information regarding the status information of the apparatuses and thus has a receiving function; see paragraphs [0002]-[0005])

a display function that displays the received status information (i.e. the workstation has a monitor that may display the messages that accompany the status of the apparatus; see paragraphs [0002]-[0005]).

Re claim 5: Geelen et al discloses an image processing apparatus and image forming system, which:

receives requests for information on recording paper from an information processing apparatus (i.e. when the print monitor function is activated, described in the background of the invention, the software used constantly queries the printer as far as information to the status of the apparatus. The query of the printer or monitoring is analogous to requesting information about the printer. The information queried or

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requested is information regarding the paper trays used in the printer. The printer receives these request or queries from the workstation of the user; see paragraphs [0002]-[0005]),

transmits information on recording paper that includes at least information on sizes of recording paper that is available for image forming responding requests from the information processing apparatus (i.e. when the user is notified that certain printing paper is not available for processing a print job, the user can submit the option to use another type of paper to process the print job. Then the printer transmits information to the workstation of the other types of printing paper available for processing the print jobs in response to the user wanting to find out information on the paper available in the printer; see paragraphs [0051]-[0055]), and

receives and executes print instructions from the aforementioned information processing apparatus after transmitting the aforementioned information on recording paper (i.e. once the user enters the choice of the different paper type to process the print job, the printer receives and executes printing of that print job in the manner requested, once that print job is the current print job in the print queue. This occurs after the user has changed the choice of print paper type; see fig. 3-5; paragraphs [0034]-[0054]).

9. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Sumiyama et al (US Pub No 2002/0036799).

Re claim 6: Sumiyama et al discloses an image processing apparatus and image forming system, which:

transmits print instruction from an information processing apparatus (i.e. when a print job is submitted, an instruction to print the document with the specified paper sizes occurs. In several examples in the background of the invention, the transmission of a print job is to be considered as a print command is given to respective printers to perform a print job. The PCs (11 and 12) in the system transmit print jobs to the printers in the system, and these PCs can be considered as information processing apparatuses; see fig. [0005]-[0008] and [0026]-[0033]),

requests information on recording paper to the specified image forming apparatus responding to the transmitted print instruction (i.e. the server in the system requests information regarding the sizes of the papers inside multiple printers, since multiple printers in the system that are specified by the network respond to the transmitted print job in the server. The information regarding the paper sizes available in the printer are given to the server or PC; see fig. 4; paragraphs [0026]-[0034]),

determines whether recording is available or not based on the requested information on recording paper (i.e. the comparison of the image size to the paper size is performed in the printer and a determination is made whether the printers in the system can perform the printing relating to the image size matching the appropriate paper size; see figs. 3 and 4; paragraphs [0026]-[0034]),

sends print information from the information processing apparatus to the image processing apparatus when it determines recording is available (i.e. the PCs (11 or 12) and the server device are able to send the image data to the appropriate printer once

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the determination is made that the paper available to print the image size is in the current printer being selected; see fig. 3 and 4; paragraphs [0026]-[0034]), and

notifies the operator that recording is not available when it determines recording is not available (i.e. the user is notified when the paper sizes are not available to fulfill the print job requirement of a certain image size, so that the user can replace or refill paper sizes in the system to process the print job; see fig. 3 and 4; paragraphs [0026]-[0034]).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 7-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geelen et al in view of Yacoub '813 (US Pat No 6552813).

Re claim 7: Geelen et al discloses a stepped user alerts in a networked printer system comprising

receiving a print instruction for a print job, wherein the print instruction includes a selected paper type to be used for the print job and specifies an image forming apparatus to receive the print job (i.e. the user sends a print job to be printed to a printer and the instruction includes both the paper type to be used to output the print job and

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the specified printer to be used for forming the image on a certain paper size; see paragraph [0031])

requesting paper availability information from the specified image forming apparatus before the print job is sent to the specified image forming apparatus (i.e. the control unit checks the printing instructions of the new print job and requests information from the memory (22) regarding the types of recording paper stored in memory (22) and available in the trays (12) in the specified printer. Once the paper availability information matches the print instructions of the new job, the job is sent to the apparatus for processing after the preceding print jobs are processed. Also, with the print monitoring function, the print software constantly request, from the printer that is being monitored, information regarding the status of the printer. The status of the printer is in direct relation to the consumable amount, or paper size, amount in the printer; see paragraphs [0031] and [0036]-[0040])

receiving the paper availability information from the specified image forming apparatus, wherein the paper availability information specifies what types of paper are available in the specified image forming apparatus (i.e. when the printer determines that the current print job cannot be completely processed, a notice is given to the user regarding the availability of a certain paper size to process the print job. It specifies what paper is not currently in the printer, but if the user selects the "select other paper" option in the dialog box illustrated by figure 4, a list of paper sizes in the printer is presented to the user at the workstation. This performs the feature of receiving paper availability information from the specified printer, wherein the paper information

specifies the types of paper available in the printer; see figs. 3 and 4; paragraphs [0051]-[0054])

providing options to continue with the print job or to modify the print instruction if the paper availability information indicates that the specified paper type is unavailable in the specified image forming apparatus (i.e. when the user accepts the information regarding the paper availability in figure 4, this tells the printing system to continue on in the process because the user will meet this need so that the printer can process this print job. When the user accepts the message in figure 4, this is analogous to providing the option of continuing with the print job. Also, the option to modify the print instruction is analogous to changing the printing paper selected to process the print job; see fig. 3 and 4; paragraphs [0046]-[0054]).

However, Geelen et al fails to teach to cancel the print job.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses providing the option to cancel the print job (i.e. in traditional network printers, at the point of an error, such as printer out of paper, the user has the option fix the problem by replacing the paper or by canceling the print job and resending the print job to another printer; see col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to provide the option to cancel a print job in order to have the user cancel the print job during an error in printing and resend the print job to another printing device (as stated in Yacoub '813 col. 1, lines 26-47).

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Re claim 8: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

Geelen et al discloses the method of operating an information processing apparatus further comprising, sending the print job to the image forming apparatus if the paper availability information indicates that the specified paper type is available in the image forming apparatus (i.e. when the specified printing paper is available in the printing apparatus, the print job is sent to the specified printing apparatus when all of the preceding print jobs are processed before the current print job; see fig. 3; paragraphs [0035]-[0047]).

Re claim 9: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

Geelen et al discloses the method of operating an information processing apparatus further comprising, in the providing options step, providing an option to wait while the image forming apparatus is adjusted (i.e. when the print job being processed and this print job is the only print job in the print queue waiting to be processed, the printer will wait for the user a determined delay time. This determined delay time is given to the user, so that the user will be able to make his or her way to the printing device and load paper into the apparatus in order to process the print job; see figs. 3 and 4; paragraphs [0036]-[0054]).

Re claim 10: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach providing an option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses providing an option to select a different image forming apparatus (i.e. when a printer is out of paper, the user may be able to replace the printer with the selected paper to print or cancel the job and select a different print job to process the print job; see col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to provide an option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 11: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the option to modify the print instruction is compatible with the option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the option to modify the print instruction is compatible with the option to select a different image forming apparatus (i.e. when the user resends a print job to another or different image forming apparatus, the print instruction is modified to be compatible to the option selected by the user to cancel the print job and printing the job using another apparatus; col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the option to modify the print instruction compatible with the option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 12: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach before providing the option to select the different image forming apparatus, requesting paper availability information from at least one different image forming apparatus receiving the paper availability information from the respective different image forming apparatuses, wherein the paper availability information specifies what types of paper is available in the respective different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses before providing the option to select the different image forming apparatus,

requesting paper availability information from at least one different image forming apparatus (i.e. in the system, the server would request or query the network for information on printers available, or compute to find the next available printer appropriate for the processing of the print job that matches the user's preferences. The user's preferences may be the paper size or type available in the printers; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-37).

receiving the paper availability information from the respective different image forming apparatuses, wherein the paper availability information specifies what types of paper is available in the respective different image forming apparatuses (i.e. the server receives information on printers available that are related to the user's preferences. The printers available are printers that are available and are different from the current printer that received a printer error in regards to performing the print job. The preferences are related to the paper types and sizes; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-37).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the information processing apparatus requesting paper availability information from at least one different image forming apparatus and receiving the paper availability information from the respective different image forming apparatuses, wherein the paper availability information specifies what types of paper is available in the respective different image forming apparatuses before providing the option to select the different image apparatus in order to automatically select a different printer closely complying with the print job preferences (as stated in Yacoub '813 col. 2, lines 8-20).

Re claim 13: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the option to select the different image forming apparatus is only provided if the paper availability information from the

respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the option to select the different image forming apparatus is only provided if the paper availability information from the respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses (i.e. in the system, if a printer has an error, another printer is found. The other printer that is chosen is in accordance with the user's preferences, so that the print job is completed in the manner in which the user prefers. The specified preferences can be the paper type or size that the user desires to use as the output. The printer that is provided as the other option to use for printing is only offered if the user preferences, which is related to the paper availability information, is present in the printer chosen to be offered to the user as another option for printing; see figs. 3 and 4; col. 4, lines 5-27; col. 6, lines 43-67; col. 7, lines 1-37; col. 8, lines 29-67 and col. 9, lines 1-54).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the option to select a different image forming apparatus is only provided if the paper availability information from the respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses in order to automatically select a different printer closely complying with the print job preferences (as stated in Yacoub '813 col. 2, lines 8-20).

Re claim 14: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach providing options to direct the print job to one of the different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses providing options to direct the print job to one of the different image forming apparatuses (i.e. when a printer is out of paper, the user may be able to replace the printer with the selected paper to print or cancel the job and select a different print job to process the print job. The user may choose another printer if the current printer used for printing is unavailable or is out of paper; see col. 1, lines 26-47 and col. 3, lines 6-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to providing options to direct the print job to one of the different image forming apparatuses in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 15: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the option to modify the print instruction is compatible with the option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the option to modify the print instruction is compatible with the option to

select a different image forming apparatus (i.e. when the user resends a print job to another or different image forming apparatus, the print instruction is modified to be compatible to the option selected by the user to cancel the print job and printing the job using another apparatus; col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the option to modify the print instruction compatible with the option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 16: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the selected paper type is a default paper type.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the selected paper type is a default paper type (i.e. the selected preferences chosen by the user can be chosen by default or changing through a dialog box or menu; see col. 4, lines 5-27 and col. 5, lines 1-13).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the selected paper type is a default paper type in order to allow the user's preferences to be set by default (as stated in Yacoub '813 col. 5, lines 1-13).

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Re claim 17: Geelen et al discloses a stepped user alerts in a networked printer system comprising a computer usable medium having computer readable program code embodied therein for causing a processor (i.e. in the printer, the control unit, considered as the processor with program code, works with the terminal (10) on the printer. The terminal can also be considered as the computer usable medium; see fig.1; paragraphs [0026]-[0035]) to

receive a print instruction for a print job which includes a selected paper type to be used for the print job and specifies an image forming apparatus to receive the print job (i.e. the user sends a print job to be printed to a printer and the instruction includes both the paper type to be used to output the print job and the specified printer to be used for forming the image on a certain paper size; see paragraph [0031])

request paper availability information from the specified image forming apparatus before the print job is sent to the specified image forming apparatus (i.e. the control unit checks the printing instructions of the new print job and requests information from the memory (22) regarding the types of recording paper stored in memory (22) and available in the trays (12) in the specified printer. Once the paper availability information matches the print instructions of the new job, the job is sent to the apparatus for processing after the preceding print jobs are processed. Also, with the print monitoring function, the print software constantly request, from the printer that is being monitored, information regarding the status of the printer. The status of the printer is in direct relation to the consumable amount, or paper size, amount in the printer; see paragraphs [0031] and [0036]-[0040])

receive the paper availability information from the specified image forming apparatus, wherein the paper availability information specifies what types of paper are available in the specified image forming apparatus (i.e. when the printer determines that the current print job cannot be completely processed, a notice is given to the user regarding the availability of a certain paper size to process the print job. It specifies what paper is not currently in the printer, but if the user selects the "select other paper" option in the dialog box illustrated by figure 4, a list of paper sizes in the printer is presented to the user at the workstation. This performs the feature of receiving paper availability information from the specified printer, wherein the paper information specifies the types of paper available in the printer; see figs. 3 and 4; paragraphs [0051]-[0054])

provide options to continue with the print job or to modify the print instruction if the paper availability information indicates that the specified paper type is unavailable in the specified image forming apparatus (i.e. when the user accepts the information regarding the paper availability in figure 4, this tells the printing system to continue on in the process because the user will meet this need so that the printer can process this print job. When the user accepts the message in figure 4, this is analogous to providing the option of continuing with the print job. Also, the option to modify the print instruction is analogous to changing the printing paper selected to process the print job; see fig. 3 and 4; paragraphs [0046]-[0054]).

However, Geelen et al fails to teach to cancel the print job.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses providing the option to cancel the print job (i.e. in traditional network printers, at the point of an error, such as printer out of paper, the user has the option fix the problem by replacing the paper or by canceling the print job and resending the print job to another printer; see col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to provide the option to cancel a print job in order to have the user cancel the print job during an error in printing and resend the print job to another printing device (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 18: The teachings of Geelen et al in view of Yacoub '813 are disclosed above. Geelen et al discloses the computer program product having computer readable program code embodied therein for causing the processor to send the print job to the image forming apparatus if the paper availability information indicates that the specified paper type is available in the image forming apparatus (i.e. when the specified printing paper is available in the printing apparatus, the print job is sent to the specified printing apparatus when all of the preceding print jobs are processed before the current print job; see fig. 3; paragraphs [0035]-[0047]).

Re claim 19: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

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Geelen et al discloses the computer program product having computer readable program code embodied therein for causing the processor to provide an option to wait while the image forming apparatus is adjusted (i.e. when the print job being processed and this print job is the only print job in the print queue waiting to be processed, the printer will wait for the user a determined delay time. This determined delay time is given to the user, so that the user will be able to make his or her way to the printing device and load paper into the apparatus in order to process the print job; see figs. 3 and 4; paragraphs [0036]-[0054]).

Re claim 20: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach causing the processor to provide an option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses causing the processor to provide an option to select a different image forming apparatus (i.e. when a printer is out of paper, the user may be able to replace the printer with the selected paper to print or cancel the job and select a different print job to process the print job; see col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to cause a processor to provide an option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 21: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the option to modify the print instruction is compatible with the option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the option to modify the print instruction is compatible with the option to select a different image forming apparatus (i.e. when the user resends a print job to another or different image forming apparatus, the print instruction is modified to be compatible to the option selected by the user to cancel the print job and printing the job using another apparatus; col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the option to modify the print instruction compatible with the option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 22: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach causing the processor to, before the option to select the different image forming apparatus is provided, request paper availability information from at least one different image forming apparatus receive the paper availability information from the respective different image forming apparatuses, wherein

the paper availability information specifies what types of paper is available in the respective different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses for causing the processor to, before providing the option to select the different image forming apparatus,

request paper availability information from at least one different image forming apparatus (i.e. in the system, the server would request or query the network for information on printers available, or compute to find the next available printer appropriate for the processing of the print job that matches the user's preferences. The user's preferences may be the paper size or type available in the printers; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-37).

receive the paper availability information from the respective different image forming apparatuses, wherein the paper availability information specifies what types of paper is available in the respective different image forming apparatuses (i.e. the server receives information on printers available that are related to the user's preferences.. The printers available are printers that are available and are different from the current printer that received a printer error in regards to performing the print job. The preferences are related to the paper types and sizes; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-37).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have a processor cause a request for paper availability information from at least one different image forming apparatus and receive

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the paper availability information from the respective different image forming apparatuses, wherein the paper availability information specifies what types of paper is available in the respective different image forming apparatuses before providing the option to select the different image apparatus in order to automatically select a different printer closely complying with the print job preferences (as stated in Yacoub '813 col. 2, lines 8-20).

Re claim 23: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach causing the processor to provide the option to select the different image forming apparatus only if the paper availability information from the respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses causing the processor to provide the option to select the different image forming apparatus only if the paper availability information from the respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses (i.e. in the system, if a printer has an error, another printer is found. The other printer that is chosen is in accordance with the user's preferences, so that the print job is completed in the manner in which the user prefers. The specified preferences can be the paper type or size that the user desires to use as the output. The printer that is provided as the other option to use for printing is only offered if the user preferences, which is related to the paper availability

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information, is present in the printer chosen to be offered to the user as another option for printing; see figs. 3 and 4; col. 4, lines 5-27; col. 6, lines 43-67; col. 7, lines 1-37; col. 8, lines 29-67 and col. 9, lines 1-54).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to cause the processor to provide the option to select a different image forming apparatus only if the paper availability information from the respective different image forming apparatuses indicates that the specified paper type is available in the respective different image forming apparatuses in order to automatically select a different printer closely complying with the print job preferences (as stated in Yacoub '813 col. 2, lines 8-20).

Re claim 24: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach causing the processor to provide options to direct the print job to one of the different image forming apparatuses.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses causing the processor to provide options to direct the print job to one of the different image forming apparatuses (i.e. when a printer is out of paper, the user may be able to replace the printer with the selected paper to print or cancel the job and select a different print job to process the print job. The user may choose another printer if the current printer used for printing is unavailable or is out of paper; see col. 1, lines 26-47 and col. 3, lines 6-47).

Therefore, in view of *3, it would have been obvious to one of ordinary skill at the time the invention was made to cause the processor to provide options to direct the print job to one of the different image forming apparatuses in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 25: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, *1 fails to teach the option to modify the print instruction is compatible with the option to select a different image forming apparatus.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the option to modify the print instruction is compatible with the option to select a different image forming apparatus (i.e. when the user resends a print job to another or different image forming apparatus, the print instruction is modified to be compatible to the option selected by the user to cancel the print job and printing the job using another apparatus; col. 1, lines 26-47).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the option to modify the print instruction compatible with the option to select a different image forming apparatus in order to allow the user to fix an error by canceling a print job and resend the print job to another apparatus (as stated in Yacoub '813 col. 1, lines 26-47).

Re claim 26: The teachings of Geelen et al in view of Yacoub '813 are disclosed above.

However, Geelen et al fails to teach the selected paper type is a default paper type.

However, this is well known in the art as evidenced by Yacoub '813. Yacoub '813 discloses the selected paper type is a default paper type (i.e. the selected preferences chosen by the user can be chosen by default or changing through a dialog box or menu; see col. 4, lines 5-27 and col. 5, lines 1-13).

Therefore, in view of Yacoub '813, it would have been obvious to one of ordinary skill at the time the invention was made to have the selected paper type is a default paper type in order to allow the user's preferences to be set by default (as stated in Yacoub '813 col. 5, lines 1-13).

12. Claims 27-30 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub '813 in view of Geelen et al.

Re claim 27: Yacoub '813 discloses directing print jobs in a network printing system, the method comprising

receiving a print job from an information processing apparatus, wherein the print job specifies a paper type to be used for the print job (i.e. the information processing apparatus can be considered as the user or client's computer or station. This station or user's computer requests a print job. The server receives the print job and realizes the preferences that have been received with the print job. The preferences of the user can

be the paper size or type; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

before the print job is sent to the image forming apparatus

requesting paper availability information from the image forming apparatus (i.e. the server will have a map of the available printers and the status of each printer, such as the busy or out of paper. The server will query or request the printers status in regards to the printer characteristics that match the user's preferences in printing the print job; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

receiving the paper availability information from the image forming apparatus, wherein the paper availability information specifies what types of paper are available in the image forming apparatus (i.e. when receiving information in regards to how the printer matches with the user's preferences, the server receives information regarding the paper types or sizes, as well as if the printer is out of paper. The server realizes the types and sizes of paper in the printers mapped to the server; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

notifying the information processing apparatus if the paper availability information indicates that the paper is unavailable in the image forming apparatus (i.e. in the background of the invention, the user is notified of the printer being out of paper; see col. 1, lines 26-47).

However, Yacoub '813 fails to teach notifying the information processing apparatus if the paper availability information indicates that the specific paper type is unavailable in the image forming apparatus.

However, this is well known in the art as evidenced by Geelen et al. Geelen et al discloses notifying the information processing apparatus if the paper availability information indicates that the specific paper type is unavailable in the image forming apparatus (i.e. the printer in the system notifies the user of the specific paper type in the printer that is absent. The absence of this paper type prevents the print job from being processed; see fig. 4; paragraphs [0036]-[0054]).

Therefore, in view of Geelen et al, it would have been obvious to one of ordinary skill at the time the invention was made to notify the information processing apparatus if the paper availability information indicates that the paper is unavailable in the image forming apparatus in order to alert the user that the printer paper needs refilling (as stated in Geelen et al paragraph [0003]).

Re claim 28: The teachings of Yacoub '813 in view of Geelen et al are disclosed above. Yacoub '813 discloses the method of operating a print server coupled to an image forming apparatus further comprising notifying the information processing apparatus of complete receipt of the print job, after receiving the print job (i.e. once the server or virtual printer finds the appropriate printer to process the print job, the user is notified of the print job processing by the chosen printer and where to pick up the completed print job; see col. 5, lines 1-13 and col. 7, lines 10-36).

Re claim 29: The teachings of Yacoub '813 in view of Geelen et al are disclosed above.

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Yacoub '813 the method of operating a print server coupled to an image forming apparatus further comprising, after the step of notifying the information processing apparatus, receiving an instruction from the information processing apparatus to continue with the print job or to cancel the print job (i.e. when the server realizes an error in printing the print job has occurred in the old traditional system, the user had a choice to continue with the print job by trying to clear the error in the respective printer so that the print job can be processed, or the user would cancel the print job and resend the print job to another printing device. Also, the user had the option to wait and continue on with the print job until other jobs on a same printing device were complete so that the current print job could be processed; col. 2, lines 42-62 and col. 3, lines 1-22).

However, Yacoub '813 fails to teach receiving an instruction from the information processing apparatus to modify the print job.

However, this is well known in the art as evidenced by Geelen et al. Geelen et al discloses receiving an instruction from the information processing apparatus to modify the print job (i.e. when the user is notified of the paper not being present in the printer, the user may modify the print job by changing the paper type used to process the print job; see fig. 4; paragraphs [0051]-[0054]).

Therefore, in view of Geelen et al, it would have been obvious to one of ordinary skill at the time the invention was made to receive an instruction from the information

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processing apparatus to modify the print job in order to select another type of recording sheet for the print job (as stated in Geelen et al paragraph [0053]).

Re claim 30: The teachings of Yacoub '813 in view of Geelen et al are disclosed above. Yacoub '813 discloses the method of operating a print server coupled to an image forming apparatus further comprising sending the print job to the image forming apparatus (i.e. the server sends the print job to the image forming apparatus that best fits the user's preferences; see fig. 3; col. 6, lines 43-67 and col. 7, lines 1-36).

Re claim 32: Yacoub '813 discloses directing print jobs in a network printing system, the print server comprising a processor, a communications interface and a computer usable medium having computer readable program code embodied (i.e. for the server, to execute computer readable program code and communicate with the other apparatuses in the invention it has to be executed on some type of processor to perform any type of functions. Also, the server has a communications interface because it communicates with other devices in the system. These features are both implied in the invention; see col. 5, lines 35-63) therein for causing the processor to

receive a print job from an information processing apparatus through the communications interface, wherein the print job specifies a paper type to be used for the print job (i.e. the information processing apparatus can be considered as the user or

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client's computer or station. This station or user's computer requests a print job. The server receives the print job and realizes the preferences that have been received with the print job. The preferences of the user can be the paper size or type; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

before the print job is sent to the image forming apparatus

request paper availability information from the image forming apparatus (i.e. the server will have a map of the available printers and the status of each printer, such as the busy or out of paper. The server will query or request the printers status in regards to the printer characteristics that match the user's preferences in printing the print job; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

receive the paper availability information from the image forming apparatus, wherein the paper availability information specifies what types of paper are available in the image forming apparatus (i.e. when receiving information in regards to how the printer matches with the user's preferences, the server receives information regarding the paper types or sizes, as well as if the printer is out of paper. The server realizes the types and sizes of paper in the printers mapped to the server; see fig. 3; col. 4, lines 5-27; col. 6, lines 43-67 and col. 7, lines 1-36)

notify the information processing apparatus if the paper availability information indicates that the paper is unavailable in the image forming apparatus (i.e. in the background of the invention, the user is notified of the printer being out of paper; see col. 1, lines 26-47).

However, Yacoub '813 fails to teach notifying the information processing apparatus if the paper availability information indicates that the specific paper type is unavailable in the image forming apparatus.

However, this is well known in the art as evidenced by Geelen et al. Geelen et al discloses notifying the information processing apparatus if the paper availability information indicates that the specific paper type is unavailable in the image forming apparatus (i.e. the printer in the system notifies the user of the specific paper type in the printer that is absent. The absence of this paper type prevents the print job from being processed; see fig. 4; paragraphs [0036]-[0054]).

Therefore, in view of Geelen et al, it would have been obvious to one of ordinary skill at the time the invention was made to notify the information processing apparatus if the paper availability information indicates that the paper is unavailable in the image forming apparatus in order to alert the user that the printer paper needs refilling (as stated in Geelen et al paragraph [0003]).

Re claim 33: The teachings of Yacoub '813 in view of Geelen et al are disclosed above. Yacoub '813 discloses the print server, the computer readable program further for causing the processor to notify the information processing apparatus of complete receipt of the print job, after the print job is received (i.e. once the server or virtual printer finds the appropriate printer to process the print job, the user is notified of the print job processing by the chosen printer and where to pick up the completed print job; see col. 5, lines 1-13 and col. 7, lines 10-36).

Re claim 34: The teachings of Yacoub '813 in view of Geelen et al are disclosed above. Yacoub '813 discloses the print server, the computer readable program further for causing the processor to receive an instruction from the information processing apparatus to continue with the print job or to cancel the print job after the information processing apparatus is notified (i.e. when the server realizes an error in printing the print job has occurred in the old traditional system, the user had a choice to continue with the print job by trying to clear the error in the respective printer so that the print job can be processed, or the user would cancel the print job and resend the print job to another printing device. Also, the user had the option to wait and continue on with the print job until other jobs on a same printing device were complete so that the current print job could be processed; col. 2, lines 42-62 and col. 3, lines 1-22).

However, Yacoub '813 fails to teach receiving an instruction from the information processing apparatus to modify the print job.

However, this is well known in the art as evidenced by Geelen et al. Geelen et al discloses causing a processor to receive an instruction from the information processing apparatus to modify the print job (i.e. when the user is notified of the paper not being present in the printer, the user may modify the print job by changing the paper type used to process the print job; see fig. 4; paragraphs [0051]-[0054]).

Therefore, in view of Geelen et al, it would have been obvious to one of ordinary skill at the time the invention was made cause a processor to receive an instruction from

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the information processing apparatus to modify the print job in order to select another type of recording sheet for the print job (as stated in Geelen et al paragraph [0053]).

Re claim 35: The teachings of Yacoub '813 in view of Geelen et al are disclosed above. Yacoub '813 discloses the print server, the computer readable program further for causing the processor to send the print job to the image forming apparatus (i.e. the server sends the print job to the image forming apparatus that best fits the user's preferences; see fig. 3; col. 6, lines 43-67 and col. 7, lines 1-36).

13. Claims 31 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub '813, as modified by Geelen et al, and further in view of Sommer '244 (US Pat No 7158244).

Re claim 31: The teachings of Yacoub '813 in view of Geelen et al are disclosed above.

However, Yacoub '813 in view of Geelen et al fails to teach deleting the print job.

However, this is well known in the art as evidenced by Sommer '244. Sommer '244 discloses deleting a print job (i.e. the delete function causes the selected print job to be removed from the print queue; see col. 13, lines 17-23).

Therefore, in view of Sommer '244, it would have been obvious to one of ordinary skill at the time the invention was made to delete a print job in order to remove a selected print job (as stated in Sommer '244 col. 13, lines 17-23).

Re claim 36: The teachings of Yacoub '813 in view of Geelen et al are disclosed above.

However, Yacoub '813 in view of Geelen et al fails to teach causing the processor to delete the print job.

However, this is well known in the art as evidenced by Sommer '244. Sommer '244 discloses causing the processor to delete a print job (i.e. the delete function causes the selected print job to be removed from the print queue; see col. 13, lines 17-23).

Therefore, in view of Sommer '244, it would have been obvious to one of ordinary skill at the time the invention was made to cause a processor to delete a print job in order to remove a selected print job (as stated in Sommer '244 col. 13, lines 17-23).

Conclusion


14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sommer et al (US Pub No 2002/0051182) discloses receiving a print instruction for a print job that specifies a printer, and the print job output computer receives information regarding the paper availability in the printer. The user see the other types of paper available in the printer and has the choice of continuing with the print job or modifying the print instruction through selecting another paper type.

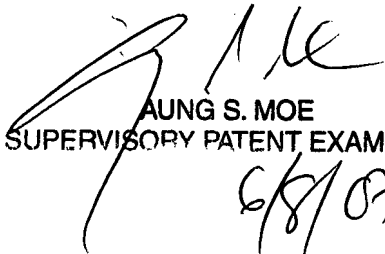
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Dickerson whose telephone number is (571)-270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)- 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Chad Dickerson
June 4, 2007


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